



FREDERICK COUNTY PLANNING COMMISSION

December 11, 2013

TITLE: Frederick Indoor Shooting Range

FILE NUMBER: SP 81-05, AP# 13921, APFO# 13924, FRO# 13925

REQUEST: Site Plan Approval

The Applicant is requesting Site Plan approval for an Indoor Shooting Range/Club, on a 1.36-acre site

PROJECT INFORMATION:

ADDRESS/LOCATION: 7910 Reich's Ford Road, located along Reich's Ford Road, across from Vantage Way

TAX MAP/PARCEL: Tax Map 77, Parcel 183

COMP. PLAN: General Industrial

ZONING: General Industrial

PLANNING REGION: Frederick

WATER/SEWER: W-5/S-5

APPLICANT/REPRESENTATIVES:

APPLICANT: John L. Hamilton

OWNER: John L. Hamilton

ENGINEER: DMW, Inc

ARCHITECT: N/A

ATTORNEY: N/A

STAFF: Tolson DeSa, Principal Planner II

RECOMMENDATION:

Conditional Approval

ATTACHMENTS:

Exhibit 1-Site Plan Rendering

STAFF REPORT

ISSUE

Development Request

The Applicant is requesting site development plan approval for an Indoor Shooting Range, on a 1.36-acre tract. The proposed use is being reviewed as “*Shooting range/club - trap, skeet, rifle, and archery*” land use under the Open Space and Institutional Use heading per Section 1-19-5.310 of the Zoning Ordinance (Z.O.) and is a principal permitted use in the General Industrial (GI) Zoning District subject to site development plan approval.

There is no new building construction proposed as part of this development application. In accordance with Zoning Ordinance Section 1-19-3.300.1.C; *Planning Commission authorized representatives may require a Type I - Planning Commission or Type II - Limited review for a site development plan application permitted through the Type II - Limited or Type III - Administrative review process, where it is determined that the proposed modification may have an adverse impact on surrounding properties, public facilities, or is inconsistent with the initial Type I - Planning Commission approval.*

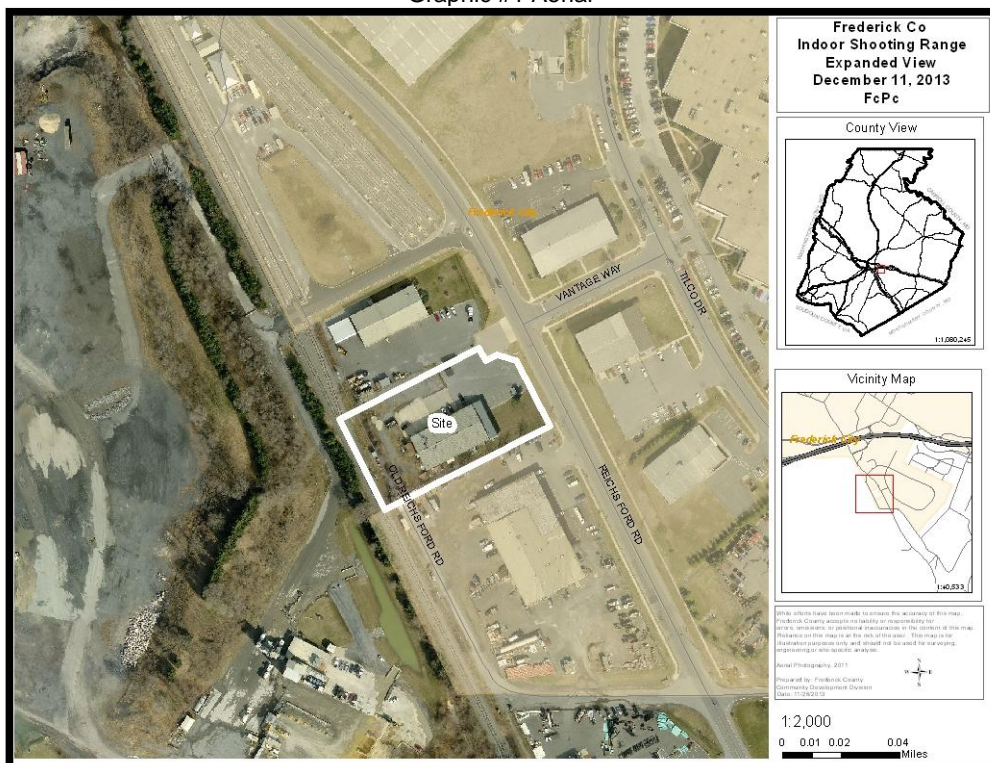
Due to the proposed “*Shooting range/club - trap, skeet, rifle, and archery*” use, Staff determined that this development application should be reviewed and approved by the Frederick County Planning Commission (FCPC) in order to notify the public and receive possible input on the proposed use prior to approval. The Applicant has provided documentation regarding compliance with criteria addressing the discharging of firearms, the safety of the design and construction of the facility, and lead containment which are found in the special exception standards listed in Z.O. section 1-19-8.355 (G) (H) and (I) if such a use were being permitted in the A or RC districts.

BACKGROUND

Development History

The subject lot is part of the 3-lot Section 1, Mercer Industrial Park, which received Final Plat approval in 1977. In 1981, this property received site plan approval as an office/warehouse. Frederick Spring Works occupied the site as of 1994. In 1996, application was made to Frederick County for a building permit under the name Modern Auto Body. A site development plan was approved in 2006 for a 2,500 square foot addition to the existing building which was never built. See Graphic #1 below.

Graphic #1 Aerial



Frederick Indoor Shooting Range

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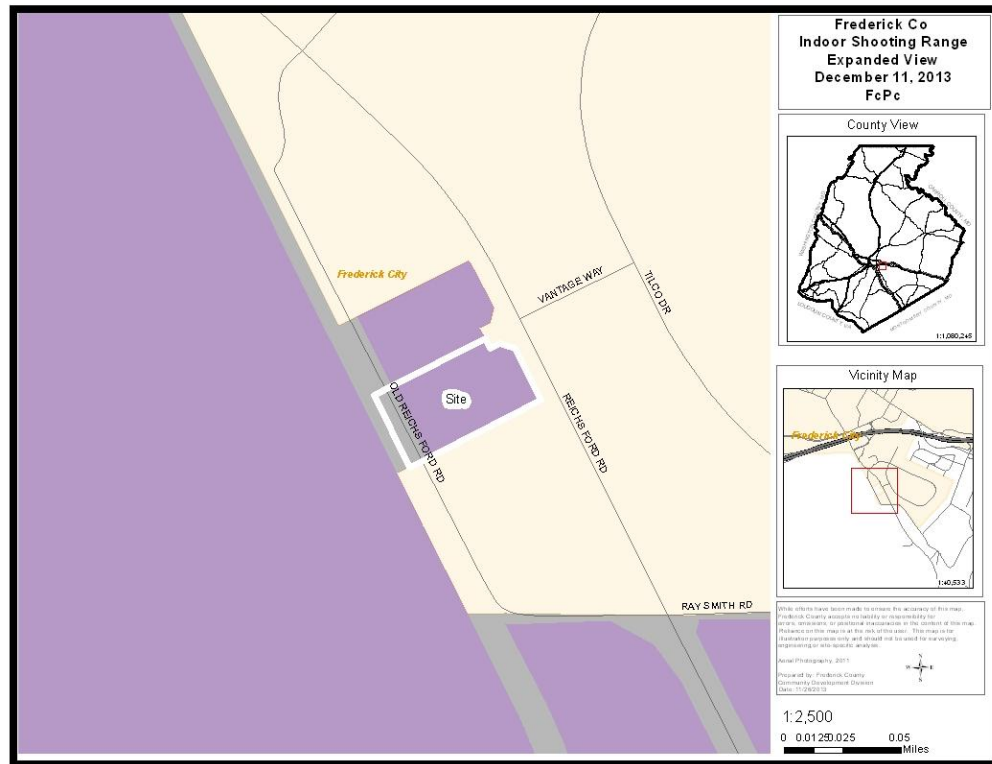
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The site is now being redeveloped into an indoor shooting range that will consist of 12 firing positions.

Existing Site Characteristics

The site is currently zoned General Industrial (GI). See Graphic #2 below. The Site is developed with an existing 9,919 square foot building that was included in a site development plan for a 2,500 square foot building addition approved. The 2,500 square foot addition was never built. The property to the north of the site is developed with similar office/warehouse use. The land to the west is currently developed with the LaFarge Quarry.

Graphic #2: Zoning



ANALYSIS

Summary of Development Standards Findings and Conclusions

The main issue associated with this change of use was retrofitting a site that was developed in 1981 to today's zoning ordinance requirements, specifically with regard to current parking, lighting, and landscaping requirements and with consideration of existing surrounding land uses.

Detailed Analysis of Findings and Conclusions

Site Development Plan Approval shall be granted based upon the criteria found in §1-19-3.300.4 Site Plan Review Approval Criteria of the Frederick County zoning ordinance.

Site Development §1-19-3.300.4 (A): Existing and anticipated surrounding land uses have been adequately considered in the design of the development and negative impacts have been minimized through such means as building placement or scale, landscaping, or screening, and an evaluation of lighting. Anticipated surrounding uses shall be determined based upon existing zoning and land use designations.

Findings/Conclusions

1. **Dimensional Requirements/Bulk Standards §1-19-6.100:** While the specific use of indoor shooting range is not listed in the design requirements table, it falls under the general land use category of open space/institutional. An Open Space use does not have any specific minimum setbacks/bulk standards. However, the existing building conforms to an approved site plan with the following setbacks: 25 ft front yard, 40 ft rear yard, and 15 ft side yard, which are required for any industrial use. The proposed shooting range complies with bulk dimensional requirements for open space uses in the General Industrial zone.
2. **Signage §1-19-6.300:** Notation #23 on the site plan states allowable signage for the site. Building mounted signage and one (1) freestanding sign is proposed. A maximum total of 84 square feet is allowed for all site signage. The Applicant is proposing a 30 square foot monument sign and a 54 square foot building mounted sign. The proposed signage square footage complies with the requirements of Z.O. Section 1-19-6.300.
3. **Landscaping and Screening §1-19-6.400:** The Applicant has updated the overall existing site in order to bring the site into full compliance with the landscaping requirements of Z.O. Section 1-19-6.400. The Applicant is proposing to add two street trees along Reich's Ford Road as well as saw cut the existing parking area in order to add additional landscaped islands and property line screening.
4. **Lighting §1-19-6.500:** There is no additional lighting proposed with this site plan. The Applicant has complied with Z.O. Section 1-19-6.500 and has added a site plan note #27 to the site plan, which complies with the requirement of no light spillage over 0.5 foot candles at the property line.

Transportation and Parking §1-19-3.300.4 (B): *The transportation system and parking areas are adequate to serve the proposed use in addition to existing uses by providing safe and efficient circulation, and design consideration that maximizes connections with surrounding land uses and accommodates public transit facilities. Evaluation factors include: on-street parking impacts, off-street parking and loading design, access location and design, vehicular, bicycle, and pedestrian circulation and safety, and existing or planned transit facilities.*

Findings/Conclusions

1. **Access/Circulation:** The site has one existing access point onto Reichs Ford Road. The access point is a use-in-common entrance shared with Lot 1 to the north, which was previously shown and approved on the final plat. The Applicant is not proposing any changes to the existing access as part of this application.
2. **Connectivity §1-19-6.220 (F):** The existing site layout and access point provide connectivity to adjacent lots and public ways. Lot 2 has an existing use-in-common access point with the adjacent Lot 1.
3. **Public Transit:** This site is not served by Transit.
4. **Vehicle Parking and Loading §1-19-6.200-through 1-19-6.220:** Zoning Ordinance Section 1-19-6.220 requires 1 space per firing position, plus 1 space per 2 employees for a shooting range. The Applicant proposes 12 firing lanes and 3 employees; therefore 14 spaces are required for the firing range portion of the development. The total required number of parking spaces for this site is 14; the Applicant is retaining the 21 existing parking spaces on site.
5. **Bicycle Parking §1-19-6.220 (H):** The Applicant has added one bicycle rack to the front of the building in accordance with 1-19-6.220.H.

- 6. Pedestrian Circulation and Safety §1-19-6.220 (G):** The site contains existing sidewalks around three sides of the building. There are no sidewalks or pedestrian pathways along Reichs Ford Road with which to connect.

Public Utilities §1-19-3.300.4 (C): *Where the proposed development will be served by publicly owned community water and sewer, the facilities shall be adequate to serve the proposed development. Where proposed development will be served by facilities other than publicly owned community water and sewer, the facilities shall meet the requirements of and receive approval from the Maryland Department of the Environment/the Frederick County Health Department.*

Findings/Conclusions

- 1. Private Well and Septic:** The site is served by private well and septic. The Health Department has this site plan on hold. The Health Department in conjunction with the Maryland Department of the Environment recommends revaluation of the repair area and an installation of a replacement septic system in the current paved area. Given that parts of the pavement are scheduled for disruption for other reasons and the building is not currently in use, now appears to be the best acceptable time for both parties to install the septic system. After which, pavement would be allowed to be replaced on top of the newly installed septic system. The Health Department and The Maryland Department of the Environment will be meeting on Tuesday December 3rd to further discuss this topic (**The results of this meeting are not yet known at the time of the staff report printing**).

Natural features §1-19-3.300.4 (D): *Natural features of the site have been evaluated and to the greatest extent practical maintained in a natural state and incorporated into the design of the development. Evaluation factors include topography, vegetation, sensitive resources, and natural hazards.*

Findings/Conclusions

- 1. Topography:** The site is extremely flat with little to no topography change from Reichs Ford Road to the rear of the site.
- 2. Vegetation:** There is limited vegetation to the rear of the site, with a few deciduous trees along the southern property boundary as well as a street tree along Reichs Ford Road. All of the existing vegetation is proposed to remain as part of this site plan.
- 3. Sensitive Resources:** There is a finger of wet soils located on this site. No exterior construction is proposed as part of this site plan, therefore the wet soils on site do not effect this site plan application.
- 4. Natural Hazards:** There are no natural hazards located on this site.

Common Areas §1-19-3.300.4 (E): *If the plan of development includes common areas and/or facilities, the Planning Commission as a condition of approval may review the ownership, use, and maintenance of such lands or property to ensure the preservation of such areas, property, and facilities for their intended purposes.*

Findings/Conclusions

- 1. Proposed Common Area:** There are no common areas associated with this non-residential use.

Other Applicable Regulations

Moderately Priced Dwelling Units – Chapter 1-6A: Due to the non-residential development proposal, MPDU's are not required.

Stormwater Management – Chapter 1-15.2: There is no construction proposed as part of the application. Therefore stormwater management will not be required due to the fact that the proposed disturbance will be less than 5,000 square feet. The proposed limit of disturbance equals approximately 1,650 square feet.

APFO – Chapter 1-20:

1. **Schools.** The development of the property is a non-residential land use and is therefore exempt from APFO testing for Schools.
2. **Water/Sewer.** This site is served by private well and septic and is therefore exempt from Water/Sewer APFO testing.
3. **Roads.** The proposed change of use from Modern Auto Body to indoor shooting range does not generate any additional peak hour traffic over what had previously been approved and is therefore exempt from testing for APFO roads.

Summary of Agency Comments

Other Agency or Ordinance Requirements	Comment
Development Review Engineering (DRE):	Conditional Approval
Development Review Planning:	Hold: Address all agency comments as the plan proceeds through to completion.
State Highway Administration (SHA):	N/A
Div. of Utilities and Solid Waste Mngt. (DUSWM):	N/A
Health Dept.	Hold: The Applicant will coordinate with the Health Department and MD Department of the Environment in order to evaluation the repair area and a possible installation of a replacement septic system in the current paved area.
Office of Life Safety	Conditional Approval
DPDR Traffic Engineering	Approved
Historic Preservation	N/A
Sheriff's Office*	Approved: No comments or objections were received.

* Due to the nature of the proposed use, Staff routed this plan to the Sheriff's Office for review and comment.

RECOMMENDATION

Staff has no objection to conditional approval of the site plan. If the Planning Commission conditionally approves the site plan, the site plan is valid for a period of three (3) years from the date of Planning Commission approval.

Based upon the findings and conclusions as presented in the staff report the application meets or will meet all applicable zoning, APFO, and FRO requirements once the following conditions are met:

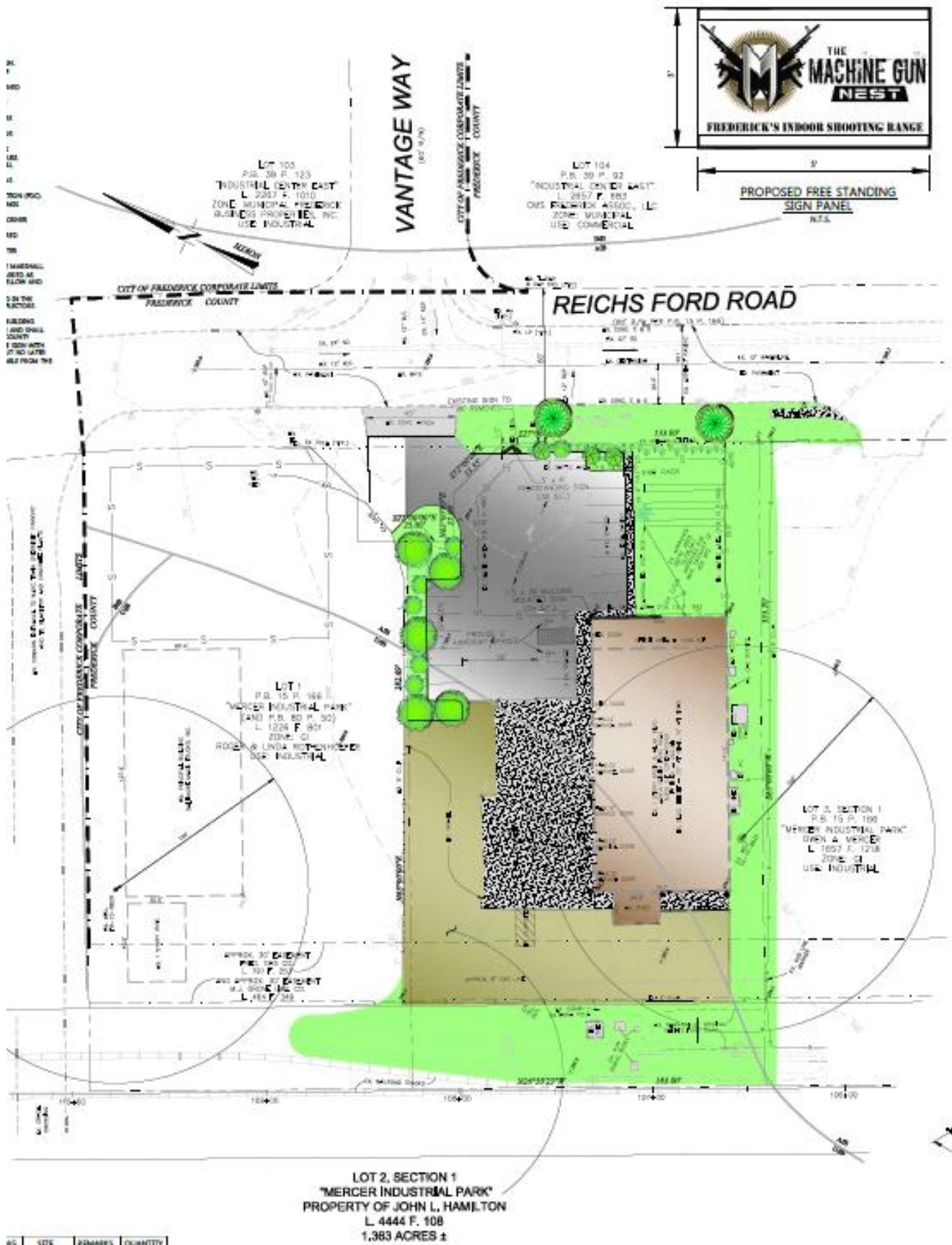
1. Address all agency comments as the plan proceeds through to completion.
2. The Applicant will work with the Health Department in order to address all comments as the plan proceeds through to completion.

PLANNING COMMISSION ACTION

MOTION TO APPROVE

I move that the Planning Commission **APPROVE** Site Development Plan SP-81-05 **with conditions** as listed in the staff report for the proposed Frederick Indoor Shooting Range, on a 1.36-acre tract, based on the findings and conclusions of the staff report and the testimony, exhibits, and documentary evidence produced at the public meeting.

Exhibit #1: Frederick Indoor Shooting Range Site Plan Rendering



Frederick Indoor Shooting Range

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